

AMMENDMENT TO CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

CLAIM 1 (CURRENTLY AMENDED):

A metal stud cutter comprising a first support member;

a ~~second~~ stud reception member which is perpendicularly attached to the first support member; and

a ~~second~~ handle member which is attached to the first support member and which includes a pair of severing members.

CLAIM 2 (CURRENTLY AMENDED):

The cutter of claim 1 which said handle member has serpentine shape.

CLAIM 3 (ORIGINAL):

The cutter of claim 1 which said stud reception member is a telescoping member.

CLAIM 4 (ORIGINAL):

The cutter of claim 1 where said stud reception member has a thickness which is substantially similar to the thickness of a metal stud member.

CLAIM 5 (ORIGINAL):

A cutter comprising a metal stud reception member; and

a cutting assembly which is deployed proximate to one end of the stud reception member.

CLAIM 6 (CURRENTLY AMENDED):

The cutter of claim 5 which said cutting assembly ~~comprised~~ comprising a serpentine handle member; and a pair of cutting members.

CLAIM 7 (ORIGINAL):

The cutter of claim 6 where each of said pair of cutting members is substantially identical.

CLAIM 8 (ORIGINAL):

The cutter of claim 5 which said metal stud reception member comprises a telescoping member.

CLAIM 9 (CANCELED):

CLAIM 10 (CANCELED):

CLAIM 11 (CANCELED):

CLAIM 12 (CURRENTLY AMENDED):

An assembly for cutting a metal stud having a rectangular shape, said apparatus comprising:

a metal stud reception portion having a certain shape which is similar to said metal stud, effective to receive and support said metal stud;

a support member having a first ~~relatively projecting~~ portion and a second ~~relatively thick~~ portion, wherein said metal stud reception portion is mounted upon said second portion;

a serpentine shaped handle which is pivotally coupled to said second portion of said support member; and

a pair of substantially identical severing members which are pivotally coupled to said second portion and to said handle, said handle being effective to move said pair of severing members to a first open position when said handle is moved away from said support member and to an second closed position when said handle is moved toward said support member.

CLAIM 13 (PREVIOUSLY PRESENTED):

The assembly of claim 12 wherein said support member further comprises a pair of feet, which cooperate with said support member to support said metal stud reception portion.

CLAIM 14 (PREVIOUSLY PRESENTED):

The assembly of claim 12 wherein said metal stud reception portion has a longitudinal axis of

symmetry which is disposed in a first direction and said support member and said handle each have longitudinal axes of symmetry which are orthogonal to said first direction.

CLAIM 15 (PREVIOUSLY PRESENTED):

The assembly of claim 12 wherein each of said pair of severing members have a first and a second sharp edged engagement members, wherein said first and second engagement members face toward said metal stud reception portion when said severing members are in said second closed position.